

REMARKS

Claim Status

Claims 1-6 are currently pending, with claims 1 and 6 being the only independent claims. No new matter has been added. Reconsideration of the application is respectfully requested.

Overview of the Office Action

Claims 1-6 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Publication No. 2004/0166843 ("*Hahn*").

Claims 1-6 also stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Publication No. 2002/0110097 ("*Sugirtharaj*").

Applicants have carefully considered the Examiner's objections and rejections, and the comments provided in support thereof. For the following reasons, applicants respectfully assert that all claims now pending in the present application are patentable over the cited art.

Descriptive Summary of the Prior Art

Hahn discloses "a heterogeneous mobile radio system having at least one first and one second mobile radio network, with each of the two mobile radio networks each having an access node to a packet data network" (see paragraph [0001]).

Sugirtharaj discloses "a method in a packet-switched radio access network of sending data packets over a radio interface from a Mobile Station (MS) to a Radio Network Controller (RNC) using multiple data transmission paths" (see paragraph [0008]).

Patentability of Independent Claims 1 and 6 under 35 U.S.C. § 102 (e)

Independent claim 1 of recites that “a non-unique address via the associated addressing scheme from each of said networks connected to the terminal (10)” is received. Independent claim 6 recites the step of “independently managing a plurality of said communications networks after receiving a non-unique address from each of said networks connected to said terminal”. *Hahn* and *Sugirtharaj* fail to teach or suggest a system and method including a mobile terminal that is modified to operate with multiple data communications networks and multiple different addresses or a non-unique address, as defined and recited in independent claims 1 and 6.

With reference to FIG. 1 of *Hahn*, the mobile terminal (MT) accesses several services over one packet data network (i.e., the Internet) via at least two mobile radio networks (2, 3), where the 1st mobile radio network (2) represents an “overlay” network for the 2nd mobile radio network (3) to use one or more functions of the 1st mobile network (2) for the 2nd mobile network (3). In this manner, the subscribers who have access to the 1st mobile network (2) are able to use the services on the 2nd mobile network (3), such as a roaming function. The registration process of authentication and authorization of a subscriber can be performed for the 2nd mobile network (3) via the 1st mobile network (2) by comparing the subscriber IP address of the subscriber and checking for the presence of a corresponding PDP Context in the 1st mobile network (2) to connect the subscriber to “the same unique packet data network”, i.e., the Internet.

Hahn (paragraph [0021], lines 1-7) describes that “the entire connection from a mobile terminal (MT) to a GGSN in the 2G/3G mobile radio network, including the connection via the WLAN, can be implemented as an extension to the GPRS secondary PDP context”. *Hahn* (paragraph [0021], lines 7-10) further describes that “this is regarded as being the capability of a mobile terminal to set up two or more connections to the GGSN using one IP address”. *Hahn*

thus teaches that the connection of the MT can be implemented as an extension to a secondary PDP Context of the 1st mobile network (2) with “the same unique IP address” corresponding to “the same unique packet data network”, i.e., the Internet, and that the MT is capable of setting up several connections to a unique GGSN (in a mobile network) “using one unique IP address” with secondary PDP Contexts.

Hahn (paragraph [0043], lines 1-7) states that “the mobile terminal 7 can set up further secondary PDP contexts for the same IP address in order, for example, to reserve bandwidth, particularly at the radio interface, for specific services”. However, *Hahn* does not teach that the MT (7) establishes additional secondary PDP Contexts for multiple non-unique IP addresses in order to reserve the bandwidth for specific services.

Hahn (paragraph [0044]) teaches a variation of the system described in paragraph [0043], where “[t]he mobile terminal 7 is registered in the 2G/3G mobile radio network 2 and has set up at least one PDP context to an Internet service provider 8, from whose address book it receives an IP address (in the following text: IP-mt)”. *Hahn* (paragraph [0044], lines 11-14) also describes that “[t]he mobile terminal 7 can set up further secondary PDP contexts for the same IP address in order, for example, to reserve bandwidth, in particular at the radio interface, for specific services”.

Lastly, *Hahn* (paragraph [0044], lines 16-24) describes that “[t]he mobile terminal 7 identifies the presence of a second alternative mobile radio network 3, and decides to use it. To do this, it sets up a connection to the LMA 5, from which it receives an IP address. The mobile terminal 7 signals to a packet distributor 9 and/or to the home agent 9 in the GGSN 4 that it wishes to provide the Internet service for its IP-mt via the LMA 5. This may be done both via the 2G/3G mobile radio network 2 and via the WLAN 3”.

Hahn thus teaches that the MT is registered in the 1st mobile network (2) and sets up one PDP Context to an Internet service provider (8), from whose address book it receives an IP address (IP-mt), and that the MT can set up additional secondary PDP Contexts for “the same IP address”. The MT identifies the presence of a 2nd mobile network (3) and decides to utilize the 2nd network, and a PDP context is provided to the Internet service for its “IP-mt” to accomplish use of the 2nd network such that the MT and “its unique IP-mt address” may be authenticated and authorized to use a desired service. *Hahn* thus clearly and repeatedly describes the use of a unique or single IP address. The claimed invention, in contrast, implements a non-unique address scheme.

Sugirtharaj (paragraphs [0019] thru [0021]), on the other hand, describes the use of multiple data transmission paths for providing a larger bandwidth capacity in one a single mobile network. In a first mobile network, a multi-path context controller (MCA) determines whether the required bandwidth exceeds the bandwidth capacity of a first data transmission path and separates the packets into two streams which are sent to the MCA in the mobile station (MS) or MT. A secondary PDP context is activated in the mobile network for delivering a new data stream to the MS or MT, and the MCA can set up multiple data streams based on the signal quality. This functionality and the possibility of operating with several secondary PDP Contexts within the same communications network is described at paragraphs [0046] thru [0048] of Applicants’ published application No. 2005/0250480. However, there is no teaching in *Sugirtharaj* with respect to a non-unique addressing scheme as implemented in the independent claims of the instant application, i.e., independent claims 1 and 6.

An important characteristic of the claimed invention is the possibility or ability to work with several addresses or a non-unique address via the associated addressing scheme as defined

by claims 1 and 6. The ETSI standard requires that the same terminal has to be connected simultaneously with several communications networks. This standard is described at paragraph [0014] of the instant publication. However, the ETSI standard fails to provide a way to accomplish such a result. Paragraphs [0014] thru [0017] of the instant publication explain that a network sends an address to a terminal. Paragraph [0019] of the instant publication further describes an addressing problem associated with the reception of two (or more) identical addresses (i.e. non-unique addresses). In the claimed invention, each network interface is associated with one address that originates from one specific network. This concept is described at paragraphs [0068] thru [0070] of the instant publication (see "only one address"). Without the advantages provided by the claimed invention, a "normal" terminal can only work with a unique addressing scheme having different addresses so as not to violate the principle of unique addressing (see, for example, paragraphs [0071] to [0072] of the instant publication). As described at paragraph [0073] of the instant publication, the claimed invention permits a terminal to operate if it receives an identical address and addressing scheme because as, described at paragraph [0073], the terminal can receive two identical addresses, i.e., non-unique addresses.

This characteristic and the configuration of a mobile terminal to advantageously function with several communications networks are neither explained nor described in the *Hahn* or *Sugirtharaj* publications. *Hahn* and *Sugirtharaj* each fail to provide any explanation whatsoever with respect to the management of addresses of different communications networks that are received when a mobile terminal is simultaneously connected with several communications networks. In particular, *Hahn* and *Sugirtharaj* are silent with respect to the problem of receiving an identical address (i.e., a non-unique address) from two different communications networks, both of which are operating with the same addressing scheme.

In view of the foregoing, independent claims 1 and 6 are requestfully deemed not anticipated by *Hahn* and *Sugirtharaj*. Reconsideration and withdrawal of the rejection of claims 1 and 6 under 35 U.S.C. §102 are accordingly believed to be in order, and early notice to that effect is solicited.

Moreover, by virtue of the above-discussed differences between the recitations of claims 1 and 6 and the teachings of *Hahn* or *Sugirtharaj*, and the lack of any clear motivation for modifying *Hahn* and/or *Sugirtharaj* to achieve applicants' claimed invention, independent claims 1 and 6 are likewise deemed to be patentable over *Hahn* and *Sugirtharaj* under 35 U.S.C. §103.

Dependent Claims

In view of the patentability of independent claim 1 for at least the reasons presented above, each of dependent claims 2-5 is believed to be patentable therewith over the prior art. Each of claims 2-5 additionally includes features that serve to still further distinguish the claimed invention over the applied art.

Conclusion

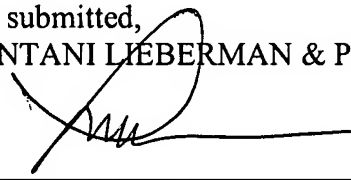
Based on all of the foregoing, applicants submit that the present application is now in full and proper condition for allowance. Prompt and favorable action to that effect, and early passage of the application to issue, are once more solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate an early resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any such fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By



Lance J. Lieberman
Reg. No. 28,437
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: May 16, 2007